



07-25-07

Jm

2129

Attorney's Docket No.: 17101-003006 / 801F

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jerome LaPointe et al.      Art Unit : 2129  
Serial No. : 10/043,356      Examiner : Wilbert L. Starks  
Filed : January 11, 2002      Conf. No. : 7695  
Cust. No. : 20985  
Title : METHOD FOR SELECTING MEDICAL AND BIOCHEMICAL DIAGNOSTIC  
TESTS USING NEURAL NETWORK-RELATED APPLICATIONS

**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

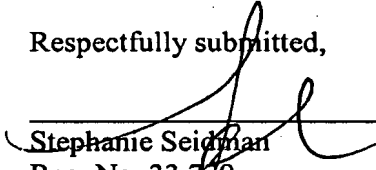
Dear Sir:

Transmitted herewith are an Information Disclosure Statement (4 pages), Form PTO-1449 (1 page), cited non U.S. patent references, copies of a Preliminary Notice of Rejection issued in connection with corresponding Japanese Patent Application No. 2005-134396 (19 pages), and a Preliminary Notice of Rejection issued in connection with corresponding Japanese Patent Application No. 2005-357564 (5 pages), and a return receipt postcard for filing in connection with the above-identified application. Because this Information Disclosure Statement is filed prior to receipt of a first office action on the merits in the above-referenced application, no fee is due.



The Commissioner is hereby authorized to charge any fees that may be due in connection with this paper or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

  
Stephanie Seidman  
Reg. No. 33,709

Attorney Docket No. 17101-003006 / 801F

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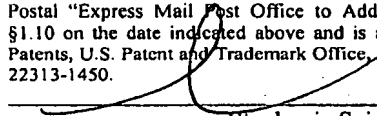
email: seidman@fr.com

## CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number EV 471537513 US

Date of Deposit July 23, 2007.

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

  
Stephanie Seidman



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jerome LaPointe et al.      Art Unit : 2129  
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Filed : January 11, 2002      Conf. No. : 7695  
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Title : METHOD FOR SELECTING MEDICAL AND BIOCHEMICAL DIAGNOSTIC  
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**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN**  
**ACCORDANCE WITH 37 C.F.R. §§1.97-1.98**

Dear Sir:

Because this Supplemental Information Disclosure Statement is filed before the receipt of a First Office Action on the Merits for the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all information known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Form PTO-1449 (1 page) and copies of the cited documents are provided herewith in connection with the above-captioned application.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
"Express Mail" Mailing Label Number EV 471537513 US  
Date of Deposit July 23, 2007.  
I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

  
Stephanie Seidman

Applicant : Jerome LaPointe et al.  
Serial No. : 10/043,356  
Filed : January 11, 2002

Attorney's Docket No.: 17101-003006 / 801F  
Supplemental Information Disclosure Statement

The documents cited on the Forms PTO-1449 are not in the English language. Items AB and AC (Japanese Patent Application Publications JP 02-195935 and JP 05-012351, respectively) are in the Japanese language and are supplied with Certified English translations (items AD and AE, respectively). Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

In accordance with the requirements of 37 C.F.R. §1.98, copies of a Japanese Preliminary Notice of Rejection (Document I), issued March 13, 2007, in connection with corresponding Japanese Patent Application No. 2005-134396; a Japanese Preliminary Notice of Rejection (Document II), issued April 10, 2007, in connection with corresponding Japanese Patent Application No. 2005-357564; and the Partial English Translations of the Official Actions are provided for consideration by the Examiner. Japanese Patent Application Nos. 2005-134396 and 2005-357564 are divisionals of Japanese Patent No. 3782792 (issued March 17, 2006), which is a divisional of Japanese Patent No. 3480940 (issued October 10, 2003). The table below lists Documents I-II and includes a column that provides a space next to each document to be considered, for the Examiner's initials.

Examiner Initial	Document No.	Document
/WS/	I	Copy of Japanese Preliminary Notice of Rejection (and Partial English Translation), issued March 13, 2007, in connection with corresponding Japanese Patent Application No. 2005-134396
/WS/	II	Copy of Japanese Preliminary Notice of Rejection (and Partial English Translation), issued April 10, 2007, in connection with corresponding Japanese Patent Application No. 2005-357564

Applicant : Jerome LaPointe et al.  
Serial No. : 10/043,356  
Filed : January 11, 2002

Attorney's Docket No.: 17101-003006 / 801F  
Supplemental Information Disclosure Statement

Further to the list provided in the communication mailed on April 23, 2002, applicant also makes known to the Examiner the following pending U.S. and International Applications that have one or more common inventors and/or are commonly owned:

U.S.S.N.	Filing Date	Publ. No.	Publ. Date	Docket No.
10/877,122	06/25/2004	2004-0241752	12/02/2004	813E
11/219,216	09/02/2005	2006-0014302	01/19/2006	813F
11/218,807	09/02/2005	2006-0008923	01/12/2006	813G
10/774,144	02/06/2004	2004-0266025	12/30/2004	826
11/193,857	07/29/2005	2006-0024725	02/02/2006	827
11/193,771	07/29/2005	2006-0024722	02/02/2006	828
11/193,806	07/29/2005	2006-0024724	02/02/2006	829
11/193,789	07/29/2005	2006-0024723	02/02/2006	830
11/193,561	07/29/2005	2006-0024757	02/02/2006	831

International App. No.	Filing Date	Docket No.
PCT/US97/02104	02/07/1997	801PC
PCT/US99/02282	02/03/1999	813PC
PCT/US04/003428	02/06/2004	826PC
PCT/US05/027183	07/29/2005	830PC
PCT/US99/20724	09/10/1999	832PC
PCT/US94/13299	11/18/1994	2102PC

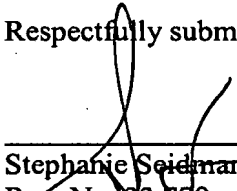
Although these applications and documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the information, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97 (g and h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56 (b) exists.

Applicant : Jerome LaPointe et al.  
Serial No. : 10/043,356  
Filed : January 11, 2002

Attorney's Docket No.: 17101-003006 / 801F  
Supplemental Information Disclosure Statement

Applicant respectfully requests that the Examiner review the foregoing documents and make them of record in the file history of the above-captioned application.

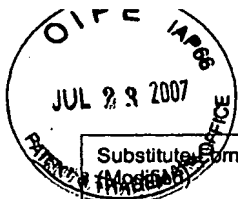
Respectfully submitted,



---

Stephanie Seidman  
Reg. No. 33,779

Attorney Docket No. 17101-003006 / 801F  
**Address all correspondence to:**  
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Fish & Richardson P.C.  
12390 El Camino Real  
San Diego, California 92130  
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Facsimile: (202) 626-7796  
email: seidman@fr.com



Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 17101-003006 / 801F	Application No. 10/043,356
<b>List of Patents and Publications for Applicant's Information Disclosure Statement</b>  (37 CFR §1.98(b))		Applicant Jerome LaPointe et al.	
		Filing Date January 11, 2002	Group Art Unit 2129

**U.S. Patent Documents**

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA	None					

**Foreign Patent Documents or Published Foreign Patent Applications**

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
/WS/	AB	02-195935	08/02/90	JP			X	
/WS/	AC	05-012351	01/22/93	JP			X	

**Other Documents (include Author, Title, Date, and Place of Publication)**

Examiner Initial	Desig. ID	Document
/WS/	AD	Certified English Translation of Japanese Patent Application No. 02-195935, "Medical Information Processing System."
/WS/	AE	Certified English Translation of Japanese Patent Application No. 05-012351, "Diagnosis Support System."

Examiner Signature Wilbert L. Starks, Jr./	Date Considered 09/17/2007
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: LaPointe et al.  
Serial No.: 10/043,356  
Filed: January 11, 2002  
For: **METHOD FOR SELECTING  
MEDICAL AND BIOCHEMICAL  
DIAGNOSTIC TESTS USING  
NEURAL NETWORK-RELATED  
APPLICATIONS**  
Art Unit: 2122  
Examiner: Unassigned

TRANSMITTAL LETTER

Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement, Forms PTO-1449 (4 pages) and a cited reference for filing in connection with the above-identified application. Because this Information Disclosure Statement is filed prior to receipt of a First Office Action on the merits in the above-referenced application, no fee is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 50-1213, as stated below:

- [ X ] The Commissioner is hereby authorized to charge any fees that may be due under 37 C.F.R. §§1.16-1.17 in connection with this paper or with this application during its entire pendency to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,  
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By:

  
Stephanie L. Seidman  
Registration No. 33,779

Attorney Docket No. 24727-0801F  
Address all correspondence to:  
Stephanie L. Seidman  
HELLER, EHRMAN, WHITE & McAULIFFE LLP  
4350 La Jolla Village Drive, 7th floor  
San Diego, CA 92122-1246  
Telephone: (858) 450-8400  
Facsimile: (858) 587-5360  
EMAIL: sseidman@hewm.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: LaPointe et al.  
Serial No.: 10/043,356  
Filed: January 11, 2002  
For: *METHOD FOR SELECTING  
MEDICAL AND BIOCHEMICAL  
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APPLICATIONS*  
Art Unit: 2122  
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By:

  
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Registration No. 33,779

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Facsimile: (858) 587-5360  
EMAIL: sseidman@hewm.com



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: LaPointe et al.

Serial No.: 10/043,356

Filed: January 11, 2002

Confirmation No.: 7695

For: *METHOD FOR SELECTING  
MEDICAL AND BIOCHEMICAL  
DIAGNOSTIC TESTS USING  
NEURAL NETWORK RELATED  
APPLICATIONS*

Art Unit: 2122

Examiner: Unassigned

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN ACCORDANCE  
WITH 37 C.F.R. §§ 1.97-1.98**

Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

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In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§ 1.97-1.98. Form PTO-1449 (4 pages) and copies of the cited documents are provided herewith in connection with the above-captioned application.

U.S.S.N. 10/043,356

LaPointe et al.

**INFORMATION DISCLOSURE STATEMENT**

The documents listed on the Form PTO-1449 and supplied herewith are in the English language except items P, AJ, AK, AL, AM and AN, which are in the Japanese language. Item P (Japanese patent 6-119291) is provided with an English language equivalent (item AL). Items AJ, AL, AM and AN are provided with an English language equivalent (accompanying Items AJ, AL, AM and AN, respectively). Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and make them of record in the file history of the above-captioned application.

Respectfully submitted,  
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By:   
Stephanie L. Seidman, Reg. No. 33,779

Attorney Docket No. 24727-0801F  
Address all correspondence to:  
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San Diego, CA 92122-1246  
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EMAIL: sseidman@hewm.com

FORM PTO-1449 (Modified)

ATTY. DOCKET NO.  
24727-801FSERIAL NO.  
10/043,356LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S INFORMATION DISCLOSURE  
STATEMENTAPPLICANT  
LaPointe et al.FILING DATE  
June 11, 2002GROUP  
2122

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUB CLASS	FILING DATE
/WS/	A	D	4	3	4	1	5	3	11/21/00	Anderson et al.	D24	D218	04/20/98
/WS/	B	4	8	9	4	3	2	6	01/16/90	Matsuura et al.	438	7	04/09/86
/WS/	C	4	9	1	9	8	8	9	04/24/90	Jones et al.	422	40	09/15/88
/WS/	D	5	0	3	6	4	7	9	07/30/95	Prednis et al.	384	680	04/20/89
/WS/	E	5	0	9	1	1	7	0	02/25/92	Navot	424	9	04/06/89
/WS/	F	5	2	7	9	9	4	1	01/18/94	Lessey	435	7.21	06/12/92
/WS/	G	5	4	7	4	9	2	7	12/12/86	Anderson et al.	435	7.21	10/19/83
/WS/	H	5	4	8	0	7	7	6	01/02/96	Dullien	435	7.9	05/12/94
/WS/	I	5	6	2	3	9	3	9	04/29/87	Garfield	128	733	06/07/95
/WS/	J	5	6	5	0	3	9	4	07/22/87	Tereo et al.	514	14	11/04/93
/WS/	K	6	2	6	7	7	2	2	07/31/01	Anderson et al.	600	300	02/03/98
/WS/	L	6	3	9	4	8	5	2	05/28/02	Anderson et al.	600	300	04/20/98

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUB CLASS	Translation Yes No	
/WS/	M	0	1	6	2	2	9	8	08/30/01 (A2)	PCT				
/WS/	N	0	3	1	6	9	1	9	07/06/95	EP				
/WS/	O	0	6	4	2	6	6	7	01/10/01	EP				
/WS/	P	6	1	1	9	2	9	1	04/28/94	JP			X	
/WS/	Q	9	2	1	0	5	8	5	06/25/92	PCT				
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/WS/	S	9	3	2	4	8	3	6	12/09/93	PCT				
/WS/	T	9	3	2	4	8	3	8	12/09/93	PCT				

EXAMINER /Wilbert L. Starks, Jr./

DATE CONSIDERED 09/17/2007

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 (Modified)

ATTY. DOCKET NO.  
24727-801FSERIAL NO.  
10/043,356LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S INFORMATION DISCLOSURE  
STATEMENTAPPLICANT  
LaPointe *et al.*FILING DATE  
June 11, 2002GROUP  
2122

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUB CLASS	Translation Yes No	
/WS/	U	9	4	1	7	4	0	5	08/04/94	PCT				
/WS/	V	9	4	2	7	4	9	0	12/08/94	PCT				
/WS/	W	9	5	1	2	4	0	6	05/11/95	PCT				
/WS/	X	9	6	0	3	9	2	9	02/15/98	PCT				
/WS/	Y	9	6	2	8	2	7	3	08/29/96	PCT				
/WS/	Z	9	7	2	9	4	4	7	08/14/97	PCT				
/WS/	AA	9	7	4	5	7	4	4	12/04/97	PCT				
/WS/	AB	9	9	0	9	5	0	7	02/25/99	PCT				
/WS/	AC	9	9	3	9	2	9	8	08/05/99	PCT				

X - English Translation being provided.

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

/WS/	AD	Ahner <i>et al.</i> , "Fetal fibronectin as a selection criterion for induction of term labor", <i>Am. J. Obstet. Gynecol.</i> , 173:1513-1517, 1995
/WS/	AE	Allen <i>et al.</i> , "Help for high-risk pregnancies", San Jose Mercury News, February 7, 2003 edition
/WS/	AF	Bailit <i>et al.</i> , "Reducing the caesarean delivery risk in elective inductions of labour: a decision analysis", <i>Pediatric and Perinatal Epidemiology</i> , 16:90-96, 2002
/WS/	AG	Blanch <i>et al.</i> , "The presence of fetal fibronectin in the cervicovaginal secretions of women at term - Its role in the assessment of women before labor induction and in the investigation of the physiologic mechanisms of labor", <i>Am. J. Obstet. Gynecol.</i> , 174:262-266, 1996
/WS/	AH	Breart <i>et al.</i> , "A comparative study of the efficiency of hydroxyprogesterone caproate and of chlormadinone acetate in the prevention of premature labor", <i>Int. J. Gynaecol. Obstet.</i> , 16:381-384, 1979
/WS/	AI	Castellani <i>et al.</i> , "The fibronectin isoform containing the ED-B Oncofetal Domain: A Marker of Angiogenesis", <i>Int. J. Cancer</i> , 59:612-618, 1994

EXAMINER /Wilbert L. Starks, Jr./

DATE CONSIDERED 09/17/2007

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 (Modified)	ATTY. DOCKET NO. 24727-801F	SERIAL NO. 10/043,356
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	APPLICANT LaPointe <i>et al.</i>	
	FILING DATE June 11, 2002	GROUP 2122

**OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

WSI	AJ	Citation 1: English translation and Japanese version of <u>Mitsubishi Electric Technical Report</u> , Vol. 68, No. 8, Special Edition on "Neural Network Application Technology", August 1994
WSI	AK	Citation 2: English Translation and Japanese version of <u>Personal Computer Statistical Analysis Handbook II Multivariate Analysis Edition</u> , Tanaka <i>et al.</i> , (Editors), November 1997
WSI	AL	Citation 3: English Translation of Japanese Patent No. 6-119291 (Cited at document D), published April 28, 1994, Kurokawa <i>et al.</i> , for "Water Supply Prediction Device"
WSI	AM	Citation 4: English Translation and Japanese version of <u>International Academic Society Article 1999-01322-004</u> , Bibliographic Item Printing, November 12, 2002
WSI	AN	Citation 5: English Translation and Japanese version of <u>International Academic Society Article 1999-00312-010</u> , Bibliographic Item Printing, November 12, 2002
WSI	AO	Creasy <i>et al.</i> , "Prevention of Preterm Birth", <i>Seminars in Perinatology</i> , <u>5(3)</u> :395-302, 1981
WSI	AP	Fuller, William E., "Management of Premature Labor", <i>Clinical Obstetrics and Gynecology</i> , <u>21(2)</u> :533-545, 1978
WSI	AQ	Garite <i>et al.</i> , "Fetal fibronectin: A new tool for the prediction of successful induction of labor", <i>Am. J. Obstet. Gynecol.</i> , <u>175</u> :1516-1521, 1996
WSI	AR	Goldstein <i>et al.</i> , "A meta-analysis of randomized control trials of progestational agents in pregnancy", <i>British J. Obstet. Gynecol.</i> , <u>96</u> :265-274, 1989
WSI	AS	Grady, Denise, "Hormone Cuts Risk of Premature Birth", <i>The New York Times</i> , February 7, 2003 Edition
WSI	AT	Gyatval <i>et al.</i> , "Tocolytics for preterm labor: a systematic review", <i>Obstet. Gynecol.</i> , <u>94(5 Pt 2)</u> :869-877, 1999
WSI	AU	Halin <i>et al.</i> , "Enhancement of the antitumor activity of Interleukin-12 by targeted delivery to neovasculature", <i>Nature Biotechnology</i> , <u>20</u> :264-269, 2002
WSI	AV	Hartikainen-Sorri <i>et al.</i> , "Inefficacy of 17 $\alpha$ -Hydroxyprogesterone Caproate in the Prevention of Prematurity in Twin Pregnancy", <i>Obstet. Gynecol.</i> , <u>55(6)</u> :692-695, 1980
WSI	AW	Hauth <i>et al.</i> , "The effect of a 17 $\alpha$ -hydroxyprogesterone caproate on pregnancy outcome in an active-duty military population", <i>Am. J. Obstet. Gynecol.</i> , <u>146</u> :187-190, 1983

EXAMINER     /Wilbert L. Starks, Jr./	DATE CONSIDERED     09/17/2007
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 809; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

# BEST AVAILABLE COPY

Sheet 4 of 4

FORM PTO-1449 (Modified)	ATTY. DOCKET NO. 24727-801F	SERIAL NO. 10/043,356
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	APPLICANT LaPointe et al.	
	FILING DATE June 11, 2002	GROUP 2122

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

WSI	AX	Imai et al., "Significance of fetal fibronectin and cytokine measurement in the cervicovaginal secretions of women at term in predicting term labor and post-term pregnancy", <i>European J. Obstet. Gynecol. Reprod. Biol.</i> , <u>97</u> :53-58, 2001
WSI	AY	Johnson et al., "High-Risk Prematurity--Progesterin Treatment and Steroid Studies", <i>Obstet. Gynecol.</i> , <u>54</u> (4):412-418, 1979
WSI	AZ	Johnson et al., "Efficacy of 17 $\alpha$ -Hydroxyprogesterone aproate in the prevention of premature labor", <i>N. Eng. J. Med.</i> , <u>293</u> (14):675-680, 1975
WSI	BA	Kaczmarek et al., "Distribution of Oncofetal Fibronectin Isoforms in Normal Hyperplastic and Neoplastic Human Breast Tissues", <i>Int. J. Cancer</i> , <u>58</u> :11-16, 1994
WSI	BB	Kahn et al., "Preliminary Investigation of a Bayesian Network for Mammographic Diagnosis of Breast Cancer", <i>Proceedings of the 19th Annual Symposium on Computer Applications in Medical Care</i> , pp. 208-212 (1995)
WSI	BC	Kauppila et al., "Suppression of threatened premature labor by administration of cortisol and 17 $\alpha$ -hydroxyprogesterone caproate: A comparison with ritodrine", <i>Am. J. Obstet. Gynecol.</i> , <u>138</u> :404-408, 1980
WSI	BD	Keirse et al., "Progesterogen administration in pregnancy may prevent preterm delivery", <i>Br. J. Obstet. Gynecol.</i> , <u>97</u> :149-154, 1990
WSI	BE	Kiss et al., "Fetal fibronectin as a predictor of term labor: A literature review", <i>Acta Obstet. Gynecol. Scand.</i> , <u>79</u> :3-7, 2000
WSI	BF	Lockwood et al., "Fetal Fibronectin in Cervical and Vaginal Secretions as a Predictor of Preterm Delivery", <i>New England J. of Medicine</i> , <u>325</u> (10):569-674, 1991
WSI	BG	Marty et al., "Cytotoxic targeting of F9 teratocarcinoma tumours with anti-ED-B fibronectin scFv antibody modified liposomes", <i>British J. Cancer</i> , <u>87</u> :106-112, 2002
WSI	BH	Reijnders et al., "Endocrine effects of 17 alpha-hydroxyprogesterone caproate during early pregnancy: a double-blind clinical trial", <i>Br. J. Obst. Gynaecol.</i> , <u>95</u> :462-468, 1988
WSI	BI	Rozenberg et al., "Comparison of the Bishop score, ultrasonographically measured cervical length, and fetal fibronectin assay in predicting time until delivery and type of delivery at term", <i>Am. J. Obstet. Gynecol.</i> , <u>182</u> :108-113, 2002
WSI	BJ	Yemini et al., "Prevention of premature labor by 17 $\alpha$ -hydroxyprogesterone caproate", <i>Am. J. Obstet. Gynecol.</i> , <u>151</u> :574-577, 1985

EXAMINER     /Wilbert L. Starks, Jr./	DATE CONSIDERED     09/17/2007
<p>EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	

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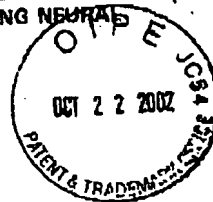
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FOLLOWING (SENT VIA FIRST CLASS PRIORITY MAIL) ON  
October 18, 2002

Client No.: 24727-801F

Enclosures: 1) Executed Declaration For Patent Application;  
2) Transmittal Letter; 3) This return postcard

Applicant(s): Lapointe et al.  
Serial No. 10/043,356 Filed: January 11, 2002  
For: METHOD FOR SELECTING MEDICAL AND  
BIOCHEMICAL DIAGNOSTIC TESTS USING NEURAL  
NETWORK-RELATED APPLICATIONS

SLS:kcc





02-22-05

2121  
30

Attorney's Docket No.: 17101-003006/801F

## UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : LaPointe *et al.* Art Unit : 2121  
Serial No. : 10/043,356 Examiner : Wilbert Starks  
Filed : January 11, 2002 Conf. No. : 7695  
Cust. No. : 20985  
Title : METHOD FOR SELECTING MEDICAL AND BIOCHEMICAL DIAGNOSTIC  
TESTS USING NEURAL NETWORK-RELATED APPLICATIONS

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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MAR 02 2005

Technology Center 2100

**TRANSMITTAL LETTER**

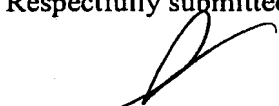
Dear Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement, Form PTO-1449 (1 page) and cited references for filing in connection with the above-captioned patent application. Because this Supplemental Information Disclosure Statement is filed prior to receipt of a first Office Action on the merits in the above-captioned application, no fee for filing is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 06-1050, as stated below:



The Commissioner is hereby authorized to charge the fee for the extension of time and any other fee that may be due in connection with this and the attached papers or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

  
Stephanie Seidman  
Reg. No. 33,779

Attorney Docket No. 17101-003006/801F

**Address all correspondence to:**


Stephanie Seidman  
Fish & Richardson P.C.  
12390 El Camino Real  
San Diego, California 92130  
Telephone: (858) 678-5070  
Facsimile: (202) 626-7796  
email: seidman@fr.com

## CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number EV 399318855 US

Date of Deposit February 17, 2005

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

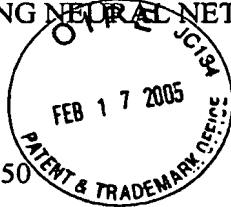
  
Stephanie Seidman



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : LaPointe *et al.* Art Unit : 2121  
Serial No. : 10/043,356 Examiner : Wilbert Starks  
Filed : January 11, 2002 Conf. No. : 7695  
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Title : METHOD FOR SELECTING MEDICAL AND BIOCHEMICAL DIAGNOSTIC  
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Attorney Docket No. 17101-003006/801F

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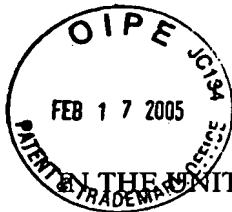
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Stephanie Seidman



Attorney's Docket No.: 17101-003006/801F

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : LaPointe *et al.*  
Serial No. : 10/043,356  
Filed : January 11, 2002  
Cust. No. : 20985  
Title : METHOD FOR SELECTING MEDICAL AND BIOCHEMICAL DIAGNOSTIC  
TESTS USING NEURAL NETWORK-RELATED APPLICATIONS

Art Unit : 2121  
Examiner : Wilbert Starks  
Conf. No. : 7695

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN**  
**ACCORDANCE WITH 37 C.F.R. §§1.97-1.98**

Dear Sir:

Since this Supplemental Information Disclosure Statement is filed before the receipt of a first Office Action on the merits for the above-captioned application, no filing fee is due. However, if it is determined that a fee is due, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Form PTO-1449 (1 page) and copies of the cited references are provided herewith in connection with the above-captioned application.

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

"Express Mail" Mailing Label Number EV 399318855 US

Date of Deposit February 17, 2005

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Stephanie Seidman

Applicant : LaPointe *et al.*  
Serial No. : 10/043,356  
Filed : January 11, 2002

Attorney's Docket No.: 17101-003006/801F

The documents listed on the Form PTO-1449 are in the English language, with the exception of Items G and H. Item G (JP 5277119) and Item H (JP 7084981), which are in the Japanese language, are provided with Certified English Translations (Items K and L, respectively). Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references is effective as prior art against the subject application. In accordance with 37 C.F.R. 1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. 1.56(b) exists.

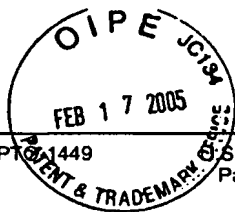
Applicant respectfully requests that the Examiner review the foregoing references and make them of record in the file history of the above-captioned application.

Respectfully submitted,

---

Stephanie Seidman  
Reg. No. 33,779

Attorney Docket No. 17101-003006/801F  
**Address all correspondence to:**  
Stephanie Seidman  
Fish & Richardson P.C.  
12390 El Camino Real  
San Diego, California 92130  
Telephone: (858) 678-5070  
Facsimile: (202) 626-7796  
email: seidman@fr.com

Sheet 1 of 1

Substitute Form PTO 1449 (Modified)  <b>List of Patents and Publications for Applicant's Information Disclosure Statement</b>  (37 CFR §1.98(b))	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 17101-003006/801F	Application No. 10/043,356
	Applicant LaPointe <i>et al.</i>		
	Filing Date January 11, 2002		Group Art Unit 2121

**U.S. Patent Documents**

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
/WS/	A	20030105731	06/05/03	Lapointe <i>et al.</i>	706	15	06/04/02
/WS/	B	6556977	04/29/03	Lapointe <i>et al.</i>	706	15	08/14/98
/WS/	C	6678669	01/13/04	Lapointe <i>et al.</i>	706	15	08/14/97
	D						
	E						

**Foreign Patent Documents or Published Foreign Patent Applications**

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
/WS/	F	055591 A1	08/18/93	EP	G06F	15/20		
/WS/	G	5277119	10/26/93	JP	A61B	010/00	*	
/WS/	H	7084981	03/31/95	JP	G06F	015/18	*	
	I							
	J							

**Other Documents (include Author, Title, Date, and Place of Publication)**

Examiner Initial	Desig. ID	Document
/WS/	K	Certified English Translation of Japanese Patent No. JP 5277119, "Cancer Diagnostic Device."
/WS/	L	Certified English Translation of Japanese Patent No. JP 7084981, "Diagnostic Processing Device."
	M	
	N	

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Examiner Signature /Wilbert L. Starks, Jr./	Date Considered 09/17/2007
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: LaPointe et al.  
Serial No.: 10/043,356  
Filed: January 11, 2002

For: **METHOD FOR SELECTING  
MEDICAL AND BIOCHEMICAL  
DIAGNOSTIC TESTS USING  
NEURAL NETWORK-RELATED  
APPLICATIONS**

Art Unit: Unassigned  
Examiner: Unassigned

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U.S. Patent and Trademark Office  
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Arlington, VA 22202, on this date.

07/02/2002  
Date

  
Alicia Bradbury

TRANSMITTAL LETTER

Commissioner for Patents  
Arlington, VA 22202

Dear Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement and Forms PTO-1449 (2 Pages) for filing in connection with the above-identified application. Because this Information Disclosure Statement is filed prior to receipt of a First Office Action on the merits in the above-referenced application, no fee is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 50-1213, as stated below:

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Respectfully submitted,  
HELLER EHRMAN WHITE & McAULIFFE LLP

By:

  
Stephanie Seidman  
Registration No. 33,779

Attorney Docket No. 24727-801F  
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Facsimile: (858) 587-5360  
E-mail: sseidman@HEWM.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: LaPointe et al.  
Serial No.: 10/043,358  
Filed: January 11, 2002

For: **METHOD FOR SELECTING  
MEDICAL AND BIOCHEMICAL  
DIAGNOSTIC TESTS USING  
NEURAL NETWORK-RELATED  
APPLICATIONS**

Art Unit: Unassigned  
Examiner: Unassigned

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U.S. Patent and Trademark Office

P.O. Box 2327

Arlington, VA 22202, on this date.

07/02/2002

Date

*Alicia Bradbury*  
Alicia Bradbury

**TRANSMITTAL LETTER**

Commissioner for Patents  
Arlington, VA 22202

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Respectfully submitted,  
HELLER EHRMAN WHITE & McAULIFFE LLP

By:

*Stephanie Seidman*  
Stephanie Seidman

Registration No. 33,779

Docket No. 24727-801F

Correspondence to:

Seidman, Esq.

HELLER EHRMAN WHITE & McAULIFFE LLP

1 Village Drive, 7th Floor

Albany, California 92122-1246

Phone (415) 450-8400

Fax (415) 587-5360

E-mail: hewm@HEWM.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: LaPointe et al.  
Serial No.: 10/043,356  
Filed: January 11, 2002

For: **METHOD FOR SELECTING  
MEDICAL AND BIOCHEMICAL  
DIAGNOSTIC TESTS USING  
NEURAL NETWORK-RELATED  
APPLICATIONS**

Art Unit: Unassigned  
Examiner: Unassigned

**CERTIFICATE OF MAILING BY \*EXPRESS  
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Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202, on this date.

07/02/2002  
Date

*Alicia Bradbury*  
Alicia Bradbury

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN ACCORDANCE  
WITH 37 C.F.R. §§ 1.97-1.98**

Commissioner for Patents  
Arlington, VA 22202

Dear Sir:

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In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§ 1.97-1.98. The Forms PTO-1449 (2 pages) and cited references.

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**U.S.S.N. 10/043,356**

**LaPointe *et al.***

**Supplemental Information Disclosure Statement**

Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and information and that they be made of record in the file history of the above-captioned application.

Respectfully submitted,  
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By:

  
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Registration No. 33,779

Attorney Docket No. 24727-801F  
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E-mail: sseidman@HEWM.com



FORM PTO-1449 (Modified)

ATTY. DOCKET NO.  
24727-801FSERIAL NO.  
10/043,356LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S INFORMATION DISCLOSURE  
STATEMENTAPPLICANT  
LaPointe *et al.*FILING DATE  
01/11/02GROUP  
2122

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUB CLASS	FILING DATE
/WS/	A	4	7	9	5	0	3	6	01/03/89	Williams <i>et al.</i>	209	687	06/15/87
/WS/	B	5	1	3	0	9	3	6	07/14/92	Sheppard <i>et al.</i>	364	551.01	09/14/90
/WS/	C	5	4	8	1	4	8	1	01/02/96	Frey <i>et al.</i>	364	551.01	11/23/92
/WS/	D	5	5	4	4	3	0	8	08/06/96	Giordano <i>et al.</i>	395	183.02	08/02/94
/WS/	E	5	6	9	0	1	0	3	11/25/97	Groth <i>et al.</i>	128	632	06/20/96
/WS/	F	5	8	1	7	4	6	1	10/06/98	Austin <i>et al.</i>	435	6	01/03/96
/WS/	G	5	8	7	8	7	4	6	03/09/99	Lemelson <i>et al.</i>	128	653.1	06/06/95

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUB CLASS	Translation Yes No	

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

/WS/	H	Al-Jumah <i>et al.</i> "Artificial Neural Network Based Multiple Fault Diagnosis in Digital Circuits," <i>ISACS '98 Proc. of the 1998 IEEE International Symposium on Circuits and Systems</i> Monterey, CA, USA, 31 May-3 June 1998 vol.2, pgs. 304-307 (1998)
/WS/	I	Brownell, T.A. "Neural Networks for Sensor Management and Diagnostics," <i>Proceedings of the IEEE 1992 National Aerospace and Electronics Conference, NAECON 1992</i> [Cat. No.92CH3158-3] Dayton, OH, USA, 18-22 May 1992. pgs. 923-929 (1992)
/WS/	J	Burke, H.B. "Evaluating Artificial Neural Networks for Medical Applications," <i>Proceedings of International Conference on Neural Networks (ICNN'97)</i> [Cat.No.97CH36109] Houston, TX, USA, 9-12 June 1997 vol.4, pgs.2494-5 (1997)

/Wilbert L. Starks, Jr./

09/17/2007

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 (Modified)	ATTY. DOCKET NO. 24727-801F	SERIAL NO. 10/043,358
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	APPLICANT LaPointe <i>et al.</i>	
	FILING DATE 01/11/02	GROUP 2122

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

/WS/	K	Marko <i>et al.</i> , "Automotive Diagnostics Using Trainable Classifiers: Statistical Testing and Paradigm Selection," <i>(IJCNN) International Joint Conference on Neural Networks</i> [Cat. No.90CH2879-5] San Diego, CA, USA, 17-21 June 1990. vol.1, pgs. 33-8 (1990)
/WS/	L	Michel <i>et al.</i> , "Prognosis with Neural Networks Using Statistically Based Feature Sets," <i>Proceedings, 5th Annual IEEE Symposium on Computer-Based Medical Systems</i> [Cat.No.92CH3117-9] Durham, NC, USA, 14-17 June 1992. pgs. 695-702 (1992)
/WS/	M	Ouyang <i>et al.</i> , "Using a Neural Network to Diagnose Anterior Wall Myocardial Infarction," <i>Proceedings of the International Conference on Neural Networks (ICNN'97)</i> [Cat. No. 87CH36109] Houston, TX, USA, 9-12 June 1997. pgs. 56-61 (1997)
/WS/	N	Sheppard <i>et al.</i> , "A Neural Network for Evaluating Diagnostic Evidence," <i>Proceedings of the IEEE 1991 National Aerospace and Electronics Conference NAECON 1991</i> [Cat. No.90CH3007-2] Dayton, OH, USA 20-24 May 1991. vol.2, pgs.717-23 (1991)

EXAMINER

/Wilbert L. Starks, Jr./

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09/17/2007

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Client No.: 24727-801F (SLS:RHT/mo'n)  
Enclosures: TRANSMITTAL LETTER (in duplicate); PRELIMINARY AMENDMENT; AND RETURN POSTCARD  
Applicant(s): LaPOINTE, ET AL.  
Serial No.: 10/043,356  
Filed: JANUARY 11, 2002  
For: METHOD FOR SELECTING MEDICAL AND BIOCHEMICAL DIAGNOSTIC TESTS USING NEURAL NETWORK-RELATED APPLICATIONS

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Client No.: 24727-8016 (SLS:RHT/mo'n)  
Enclosures: TRANSMITTAL LETTER (in duplicate); INFORMATION DISCLOSURE  
STATEMENT; FORM PTO-1449 (8 PAGES); AND RETURN POSTCARD  
Applicant(s): LaPOINTE, ET AL.  
Serial No.: 10/043,358  
Filed: JANUARY 11, 2002  
For: METHOD FOR SELECTING MEDICAL AND BIOCHEMICAL DIAGNOSTIC TESTS  
USING NEURAL NETWORK-RELATED APPLICATIONS

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: LaPointe *et al.*  
Serial No.: 10/043,356  
Filed: January 11, 2002

For: **METHOD FOR SELECTING  
MEDICAL AND BIOCHEMICAL  
DIAGNOSTIC TESTS USING  
NEURAL NETWORK-RELATED  
APPLICATIONS**

Art Unit: Unassigned  
Examiner: Unassigned

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Arlington, VA 22202, on this date.

04/23/02

Date

Maritza O'Reilly

### TRANSMITTAL LETTER

Commissioner for Patents  
Arlington, VA 22202

Dear Sir:

Transmitted herewith are an Information Disclosure Statement and Forms PTO-1449 (8 Pages) for filing in connection with the above-identified application. Because this Information Disclosure Statement is filed prior to receipt of a First Office Action on the merits in the above-referenced application, no fee is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 50-1213, as stated below:

- ☒ The Commissioner is hereby authorized to charge any fee, including any submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,  
HELLER EHRMAN WHITE & McAULIFFE LLP

By:

Stephanie Seidman  
Registration No. 33,779

Attorney Docket No. 24727-801F  
Address all correspondence to:  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: LaPointe *et al.*  
Serial No.: 10/043,356  
Filed: January 11, 2002

For: **METHOD FOR SELECTING  
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APPLICATIONS**

Art Unit: Unassigned  
Examiner: Unassigned

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Arlington, VA 22202, on this date.

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Date.

*Maniza C. Niaz*  
Maniza C. Niaz

**INFORMATION DISCLOSURE STATEMENT IN ACCORDANCE  
WITH 37 C.F.R. §§ 1.97-1.98**

Commissioner for Patents  
Arlington, VA 22202

Dear Sir:

Since this Information Disclosure Statement is filed before the receipt of a first Office Action on the merits for the above-captioned application, no filing fee is due. If it is determined that a fee is due, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1213.

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§ 1.97-1.98. The Forms PTO-1449 (8 pages) are provided herewith. In accordance with 37 C.F.R. § 1.98(d), copies of the references marked with an asterisk are ~~not~~ provided herewith, as they have been previously provided in connection with application U.S. Serial Nos. 08/912,133; 08/798,306; and 08/599,275 which are relied upon for an earlier filing date in accordance with 35 U.S.C. § 120.

The documents listed on the Forms PTO-1449 are in the English language. Hence, in accordance with the requirements of 37 C.F.R. § 1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Applicant also makes known to the Examiner the following co-pending U.S. and International applications that have one or more common inventors and/or one or more common owners:

**U.S.S.N. 10/043,356**  
**LaPointe et al.**  
**Information Disclosure Statement**

<u>U.S.S.N.</u>	<u>Filing Date</u>	<u>Docket No.</u>
08/912,133	08/14/97	801C
09/134,636	08/14/98	801D
09/063,497	04/20/98	813B
09/717,478	11/20/00	813C
09/717,355	11/20/00	813D
09/149,183	09/08/98	2101E

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. 51.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. 51.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and information and that they be made of record in the file history of the above-captioned application.

Respectfully submitted,  
HELLER EHRMAN WHITE & McAULIFFE LLP

By:   
Stephanie Seidman  
Registration No. 33,779

Attorney Docket No. 24727-801F  
Address all correspondence to:  
Stephanie Seidman, Esq.  
HELLER EHRMAN WHITE & McAULIFFE LLP  
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Sheet 1 of 8

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ATTY. DOCKET NO.  
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SERIAL NO.  
10/043,356

## LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT

APPLICANT  
LaPointe *et al.*

FILING DATE  
January 11, 2002

GROUP  
Unassigned

\* References not enclosed

### U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUB CLASS	FILING DATE
• WSI/	A	5	2	4	1	6	2	0	11/31/93	Ruggiero	396	22	01/03/91
• WSI/	B	5	2	4	9	2	5	9	09/28/93	Harvey	395	13	05/28/92
WSI/	C	5	2	5	1	6	2	6	10/12/93	Nickolls, <i>et al.</i>	607	14	07/22/92
WSI/	D	5	3	0	1	6	8	1	04/12/94	DeBan, <i>et al.</i>	128	736	09/27/91
WSI/	E	5	3	3	1	5	5	0	07/19/94	Stafford, <i>et al.</i>	364	413.2	02/11/93
WSI/	F	5	4	7	3	5	3	7	12/05/95	Glazer, <i>et al.</i>	364	419.2	04/12/95
WSI/	G	4	0	9	8	5	8	7	06/11/78	Kaufmann	177	210	10/14/76
WSI/	H	4	8	7	4	9	6	3	10/17/89	Alspector	307	201	02/11/88
WSI/	I	4	9	6	5	7	2	5	10/23/90	Rutenberg	364	413.1	04/08/88
WSI/	J	5	0	9	6	8	3	0	03/17/92	Senyei <i>et al.</i>	436	65	08/15/88
WSI/	K	5	1	8	6	2	7	0	02/09/93	Senyei <i>et al.</i>	436	510	12/12/88
• WSI/	L	5	2	2	3	4	4	0	06/29/93	Tang <i>et al.</i>	436	510	11/18/88
WSI/	M	5	2	3	6	8	4	6	08/17/93	Senyei <i>et al.</i>	436	65	07/18/91
• WSI/	N	5	2	8	1	5	2	2	01/25/94	Senyei <i>et al.</i>	435	7.9	12/14/80
• WSI/	O	5	4	0	5	3	6	2	04/11/95	Kramer <i>et al.</i>	607	5	12/20/93
WSI/	P	5	4	6	3	5	4	8	10/31/95	Asada <i>et al.</i>	364	413.02	04/28/93
WSI/	Q	5	4	6	8	8	1	9	11/21/95	Senyei <i>et al.</i>	435	7.94	05/12/93
WSI/	R	5	4	9	1	6	2	7	02/13/96	Zhang <i>et al.</i>	364	413.2	05/13/93
WSI/	S	5	5	0	3	1	6	1	04/02/96	Van Den Hauvel	128	773	10/26/93
WSI/	T	5	5	1	6	7	0	2	09/14/96	Senyei <i>et al.</i>	436	510	06/29/94
WSI/	U	5	5	3	3	5	1	9	07/09/96	Radke <i>et al.</i>	128	777	05/09/95
WSI/	V	5	5	6	0	3	7	0	10/01/96	Verrier <i>et al.</i>	128	705	05/26/95
WSI/	W	5	5	8	5	3	6	4	10/16/96	Schaefer <i>et al.</i>	436	43	02/22/95
WSI/	X	5	5	9	4	6	3	7	01/14/97	Eisenberg <i>et al.</i>	395	202	06/26/93

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ATTY. DOCKET NO.  
24727-801F

SERIAL NO.  
10/043,356

## LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT

APPLICANT  
*LaPointe et al.*

FILING DATE  
January 11, 2002

GROUP  
Unassigned

\* References not enclosed

### U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUB CLASS	FILING DATE
/WS/	Y	5	1	5	7	7	3	3	10/20/92	Takeo et al.	382	6	08/07/91
/WS/	Z	5	2	9	9	2	8	4	03/29/94	Roy	395	22	04/09/97
/WS/	AA	5	3	0	4	4	6	8	4/19/94	Phillips et al.	435	14	01/28/93
/WS/	AB	5	3	2	1	4	9	2	06/14/94	Datwiler et al.	395	73	08/07/92
/WS/ *	AC	5	3	9	2	4	0	3	02/21/95	Kaufmann	395	275	04/23/92
/WS/.	AD	5	4	5	5	8	9	0	10/03/95	Wang	395	22	
/WS/ *	AE	5	5	9	0	6	6	5	01/07/97	Kanal	128	898	11/10/94
/WS/ *	AF	5	6	2	2	1	7	1	04/22/97	Aasada et al.	384	413.01	04/14/95
/WS/.	AG	5	6	2	7	9	0	7	05/08/97	Gur et al.	382	128	05/06/97
* /WS/	AH	5	6	8	7	7	1	6	11/18/97	Kaufman et al.	128	630	11/15/95

### FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUB CLASS	Translation
* /WS/	AI	0	3	8	7	8	3	0	09/19/90	EP	-	-	
/WS/	AJ	0	5	5	7	8	3	1	09/01/93	EP	-	-	X**
/WS/	AK	0	6	1	6	2	9	1	01/02/94	EP A2	-	-	
/WS/	AL	0	6	1	0	8	0	5	03/02/94	EP A2	-	-	
/WS/	AM	0	6	4	4	4	1	4	03/22/95	EP A2	-	-	
/WS/	AN	9	4	2	5	9	3	3	11/10/94	PCT	-	-	
/WS/.	AO	9	6	1	2	1	8	7	4/25/96	PCT	-	-	
/WS/.	AP	9	7	0	5	5	5	3	2/13/97	PCT	-	-	
/WS/ *	AQ	9	7	0	9	6	7	8	3/13/97	PCT	-	-	
/WS/ *	AR	9	7	1	7	8	9	1	5/22/97	PCT	-	-	
/WS/ *	AS	9	7	3	0	9	9	6	8/28/97	PCT	-	-	X***

\*\* Derwent English language abstract and/or English translation provided.  
\*\*\* English Abstract included

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FORM PTO-1449 (Modified)	ATTY. DOCKET NO. 24727-801F	SERIAL NO. 10/043,356
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	APPLICANT LaPointe et al.	
	FILING DATE January 11, 2002	GROUP Unassigned

\* References not enclosed

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.).

WSI	AT	Alvager, et al., "The use of artificial neural networks in biomedical technologies: An introduction", <u>Biomedical Instrumentation and Technology</u> pp. 315-322 (1994).
WSI	AU	Arden, "Internal Medicine: Internist", (available at <a href="http://www.spi.org/cgi...e&amp;t&amp;csum=110562327913">http://www.spi.org/cgi...e&amp;t&amp;csum=110562327913</a> on 12/08/96).
WSI	AV	"Artificial Intelligence systems in routine clinical use", (available on <a href="http://www.gretmar.com/allist/lst.html">http://www.gretmar.com/allist/lst.html</a> ).
WSI	AW	Baxt, "Use of an artificial neural network for data analysis in clinical decision-making: The diagnosis of acute coronary occlusion", <u>Neural Computation</u> , 2:480-489 (1990).
WSI	AX	Baxt, "Use of an artificial neural network for the diagnosis of myocardial infarction", <u>Annals of Internal Medicine</u> , 115:843-848 (1991).
WSI	AY	Baxt, "Analysis of the clinical variables driving decision in an artificial neural network trained to identify the presence of myocardial infarction", <u>Annals of Emergency Medicine</u> , 21: 1438-1444 (1992).
WSI	AZ	Baxt, "Improving the accuracy of an artificial neural network using multiple differently trained networks", <u>Neural Computation</u> , pp.772-780 (1992).
WSI	BA	Baxt, "Complexity, chaos and human physiology: the justification for non-linear neural computational analysis", <u>Cancer Letters</u> , 77:85-93 (1994).
WSI	BB	Baxt, "Application of artificial neural networks to clinical medicine", <u>Lancet</u> , 346:1135-1138 (1995).
WSI	BC	Baxt, "Bootstrapping confidence intervals for clinical input variable effects in a network trained to identify the presence of acute myocardial infarction", <u>Neural Computation</u> , 7:624-638 (1995).
WSI	BD	Beksac, et al., "An artificial intelligent diagnosis system with neural networks to determine genetical disorders and fetal health by using maternal serum markers", <u>European Journal of Obstetrics and Gynecology and Reproductive Biology</u> 59:131-136 (1995).
WSI	BE	Benediktsson et al., "Parallel consensual neural networks with optimally weighted output", <u>Proceedings of World Congress on Neural Networks</u> 3:129-137, 1994.
WSI	BF	"BioComp Systems, Inc.: Systems that learn, adapt and evolve", (available on <a href="http://www.bio-comp.com/products.htm">http://www.bio-comp.com/products.htm</a> on 11/21/98).

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/Wilbert L. Starks, Jr./

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ATTY. DOCKET NO.  
24727-801FSERIAL NO.  
10/043,356LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S INFORMATION DISCLOSURE  
STATEMENTAPPLICANT  
LaPointe *et al.*FILING DATE  
January 11, 2002GROUP  
Unassigned

\* References not enclosed

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.).

WSI	BG	Blinowska, <i>et al.</i> , "Diagnostica - A bayesian decision-aid system - applied to hypertension diagnosis", <u>IEEE Transactions on Biomedical Engineering</u> 40:230-235 (1993).
WSI	BH	Brickley, <i>et al.</i> , "Performance of a neural network trained to make third-molar treatment-planning decisions", <u>Medical Decision Making</u> 16:153-160 (1996).
WSI	BI	Brown, <i>et al.</i> , Finite training sample size effects on neural-network pattern classification in low-dimensional feature space", pp. 96-101.
WSI	BJ	Burke, <i>et al.</i> , "Artificial neural networks for outcome prediction in cancer", pp. 53-56.
WSI	BK	Burke, Evaluating artificial neural networks for medical applications, <u>International Conference on Neural Networks</u> 4:2494-2495 (1997).
WSI	BL	Creasy and Resnik, <u>Maternal-fetal medicine: Principles and practice</u> , Ch 36, Sec. 18, p. 657, 1989.
WSI	BM	Davis, <i>et al.</i> , "Production systems as a representation for a knowledge based consultation program", <u>Artificial Intelligence</u> 8:15-45 (1977).
WSI	BN	Database Derwent WPI #009580780, citing European patent 567831 A, Instrument for determining optimum delivery time of foetus.
WSI	BO	Diller, W., "Horus computer-enhanced diagnostics". <u>In Vivo: The Business and Medicine Report</u> , pp. 3-10, 1997.
WSI	BP	El-Daredy <i>et al.</i> , Identification of relevant features in /sup 1/H MR tumour spectra using neural networks, <u>Fourth International Conference on Artificial Neural Networks</u> pgs. 454-458 (1995).
WSI	BQ	Erickson, "What is cognitive computing?", part 2 of 3, (available at <a href="http://www.spi.org/cgi...seeit&amp;csum=16088819102">http://www.spi.org/cgi...seeit&amp;csum=16088819102</a> on 12/08/96).
WSI	BR	Fahlman, <i>et al.</i> , "The cascade-correlation learning architecture", <u>Advances in Neural Information Processing Systems</u> 2, pp. 524-532 (1989).
WSI	BS	Fahlman, "Fast learning variations on back-propagation: An empirical study", <u>Proceedings on the 1988 Connectionist Models Summer School</u> , Pittsburgh, pp. 38-51 (1988).
WSI	BT	Furundzic <i>et al.</i> , Artificial neural networks for early breast carcinoma detection, <u>International Workshop on Neural Networks for Identification, Control, Robotics, and Signal/Image Processing</u> 355-359 (1996).

EXAMINER Wilbert L. Starks, Jr./

DATE CONSIDERED 09/17/2007

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FORM PTO-1449 (Modified)

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24727-801FSERIAL NO.  
10/043,356APPLICANT  
LaPointe *et al.*FILING DATE  
January 11, 2002GROUP  
Unassigned

\* References not enclosed

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.).

WSI	BU	Gorzalczany, An idea of the application of fuzzy neural networks to medical decision support systems, <u>Proceedings of the IEEE International Symposium on Industrial Electronics</u> 1:398-403 (1996).
WSI	BV	Haddawy, "Decision systems and artificial intelligence laboratory", (available at <a href="http://www.cs.uwm.edu/~public/dsail/">http://www.cs.uwm.edu/~public/dsail/</a> on 11/21/96).
WSI	BW	Kehn, "Mammonet: Mammography decision supports system", (available at <a href="http://www.mcw.edu/midas/mammo.html">http://www.mcw.edu/midas/mammo.html</a> on 11/21/96).
WSI	BX	Keller, <i>et al.</i> , "A novel approach to modeling and diagnosing the cardiovascular system" (available at <a href="http://www.emsl.pnl.gov:2080/docs/c...ural/papers2/keller.wcnn95.abs.html">http://www.emsl.pnl.gov:2080/docs/c...ural/papers2/keller.wcnn95.abs.html</a> on 11/21/96).
WSI	BY	Kim <i>et al.</i> , Ensemble competitive learning neural networks with reduced input dimension, <u>Intl. J. of Neural Systems</u> 6(2):133-142, 1995.
WSI	BZ	Kol, <i>et al.</i> , "Interpretation of nonstress tests by artificial neural network", <u>American Journal of Obstetrics and Gynecology</u> 172:1372-1379 (1995).
WSI	CA	Kupinski <i>et al.</i> , Feature selection and classifiers for the computerized detection of mass lesions in digital mammography, <u>International Conference on Neural Networks</u> 4:2460-2463 (1997).
WSI	CB	Lapuerta, <i>et al.</i> , "Use of neural networks in predicting the risk of coronary artery disease", <u>Computers and Biomedical Research</u> 28:38-52 (1995).
WSI	CC	Logical Designs Consulting, Inc., "Thinks™ and ThinksPro™ Neural networks for windows: Your complete neural network development environment".
WSI	CD	MacIin, <i>et al.</i> , "Using neural networks to diagnose cancer", <u>Journal of Medical Systems</u> 15:11-19 (1991).
WSI	CE	Micheli-Tzanakou <i>et al.</i> , Myocardial infarction: diagnosis and vital status prediction using neural networks, <u>Computers in Cardiology</u> pgs. 229-232 (1993).
WSI	CF	Mobley, <i>et al.</i> , "Artificial neural network predictions of lengths of stay on a post coronary care unit", <u>Heart and Lung</u> 24:251-256 (1995).
WSI	CG	Model, <i>et al.</i> , "Clinical decisions for psychiatric inpatients and their evaluation by trained neural networks", <u>Methods of Information in Medicine</u> 32:398-399 (1993).

EXAMINER /Wilbert L. Starks, Jr./

DATE CONSIDERED 09/17/2007

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FORM PTO-1449 (Modified)

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ATTY. DOCKET NO.  
24727-801F

SERIAL NO.  
10/043,356

APPLICANT  
LaPointe et al.

FILING DATE  
January 11, 2002

GROUP  
Unassigned

\* References not enclosed

**OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.).**

WSI	CH	Moneta et al., Automated diagnosis and disease characterization using neural network analysis, <i>Institute of Electrical and Electronics Engineers - Emergent Innovations on Information Transfer Processing and decision Making, Chicago, vol. 1 of 2: 123-128</i> (1992).
WSI	CI	"Multivariate statistical data reduction method", (available on <a href="http://www.spi.org/cgi...seeit&amp;csum=17396875658">http://www.spi.org/cgi...seeit&amp;csum=17396875658</a> on 12/08/96).
WSI	CJ	Nejed et al., Significance measures and data dependency in classification methods, <i>Inst. Elect. Electron. Engineers Intl. Conference on Neural Network Proceedings, Australia: 1816-1822</i> (1995).
WSI	CK	"Neural informatics pearls of wisdom", (available on <a href="http://www.sml.stanford.edu/people/...hysiology/Neuro_Pearls.html#ANN-app">http://www.sml.stanford.edu/people/...hysiology/Neuro_Pearls.html#ANN-app</a> on 11/21/96).
WSI	CL	<i>Neural Networks &amp; Intelligent systems newsletter</i> , Derwent Direct, Issue 3, (August, 1995).
WSI	CM	NTIS Published Search - "Neural networks: Applications" (September 1986-present).
WSI	CN	Ota and Maki, "Evaluation of autoantibody and CA125 in the diagnosis of endometriosis or adenomyosis", <i>Medicinal Research Reviews</i> 18(8):309 (1990).
WSI	CO	Pattichis, et al., "Neural network Models in EMG Diagnosis", <i>IEEE Transactions on Biomedical Engineering</i> 42:486-495 (1995).
WSI	CP	P.E. Keller, "Artificial neural networks in medicine", Handout/Technology brief, Pacific Northwest Laboratory.
WSI	CQ	Penny, et al., "Neural networks in Clinical Medicine", <i>Medical Decision Making</i> 16:386-398 (1996).
WSI	CR	Plate, "Re: neural nets", (available at <a href="http://www.gsf.de/msr/sift/msg00649.html">http://www.gsf.de/msr/sift/msg00649.html</a> on 11/21/96).
WSI	CS	Rachid et al., Segmentation of sputum color image for lung cancer diagnosis <i>International Conference on Image Processing</i> 1:243-246 (1997).
WSI	CT	Rogers, et al., "Artificial neural networks for early detection and diagnosis of breast and ovarian cancer", <i>Cancer Letters</i> 77:79-83 (1994).
WSI	CU	Ruck, et al., "Feature selection in feed-forward neural networks", <i>Neural Networks Computing</i> 20:40-48 (1990).
WSI	CV	Rutledge, "An overview of medical decision-support systems", (available at <a href="http://www.medg.lcs.mit.edu/BIRT/absgeoff.htm">http://www.medg.lcs.mit.edu/BIRT/absgeoff.htm</a> on 11/21/96).

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FORM PTO-1449 (Modified)

LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S INFORMATION DISCLOSURE  
STATEMENTATTY. DOCKET NO.  
24727-801FSERIAL NO.  
10/043,356APPLICANT  
LaPointe et al.FILING DATE  
January 11, 2002GROUP  
Unassigned

\* References not enclosed

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.).

WSI	CW	Sammet, "Pattern recognition applied to early diagnosis of heart attacks", (available at <a href="http://www.spi.org/cgi...seeit&amp;csum=19641717994">http://www.spi.org/cgi...seeit&amp;csum=19641717994</a> on 12/08/96).
WSI	CX	Shiyi Xu et al., Testability prediction for sequential circuits using neural networks, <u>Sixth Asian Test Symposium</u> pgs. 48-53 (1997).
WSI	CY	Siganos, "Neural networks in medicine", (available at <a href="http://scorch.doo.ic.ac.uk/~nd/suprise_96/journal/vol2/ds12/article2.html">http://scorch.doo.ic.ac.uk/~nd/suprise_96/journal/vol2/ds12/article2.html</a> on 11/21/96).
WSI	CZ	Snow, et al., "Artificial neural networks in the diagnosis and prognosis of prostate cancer: A pilot study", <u>The Journal of Urology</u> , 152:1923-1926 (1994).
WSI	DA	Solms, et al., "A neural network diagnostic tool for the chronic fatigue syndrome", International Conference on Neural Networks, Paper No. 108).
WSI	DB	Starnay, "ProstAsure™: An information resource", (available at <a href="http://www.labcorp.com/prost3.htm">http://www.labcorp.com/prost3.htm</a> on 11/21/96).
WSI	DC	Swaine, "Programming Paradigms - part 2", (available at <a href="http://www.spi.org/cgi...seeit&amp;csum=17808028563">http://www.spi.org/cgi...seeit&amp;csum=17808028563</a> on 12/08/96).
WSI	DD	Turner, "Technology brief: Coronary artery disease diagnosis" (available on <a href="http://www.emsl.gov:2080/docs/oie/techbrief/CAD.techbrief.html">http://www.emsl.gov:2080/docs/oie/techbrief/CAD.techbrief.html</a> on 11/21/96).
WSI	DE	Utans, et al., "Input variable selection for neural networks: Applications to predicting the U.S. Business Cycle", IEEE pp. 118-122 (1995).
WSI	DF	Utans, et al., "Selecting neural network architectures via the prediction risk: Application to corporate bond rating prediction", <u>Proceedings of the First International Conference on Artificial Intelligence Applications on Wall Street</u> , Washington D.C., IEEE Computer Society Press, pp. 35-41 (1991).
WSI	DG	van Dyne et al., "Using inductive machine learning, expert systems and case based reasoning to predict preterm delivery in pregnant women", Database and Expert Systems Applications, 5th Int'l Conf., DEXA 1994 Proceedings, Athens, Greece, Sept. 7-9, 1994, pp. 690-702.
WSI	DH	van Dyne et al., "Using machine learning and expert systems to predict preterm delivery in pregnant women", Proceedings of the Tenth Conference on Artificial Intelligence for Applications, San Antonio, TX, March 1-4, 1994, pp. 344-350.
WSI	DI	Weinstein, et al., "Neural networks in the biomedical sciences: A survey of 386 publications since the beginning of 1991", pp. 121-126.
WSI	DJ	Wensky, "Neural networks: a prescription for effective protection", <u>The Computer Lawyer</u> 8:12-23 (1991).

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FORM PTO-1449 (Modified)

## LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.  
24727-801F

SERIAL NO.  
10/043,356

APPLICANT  
LaPointe *et al.*

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GROUP  
Unassigned

\* References not enclosed

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.).

WSI	DK	Widman, "Expert systems in medicine", (available on <a href="http://amplatz.uokhsc.edu/acc95-expert-systems.html">http://amplatz.uokhsc.edu/acc95-expert-systems.html</a> on 11/21/96).
WSI	DL	Wilding, <i>et al.</i> , "Application of Backpropagation neural networks to diagnosis of breast and ovarian cancer", <i>Cancer Letters</i> 77:145-153.
WSI	DM	Wong <i>et al.</i> , Fuzzy neural systems for decision making, <i>IEEE International Joint Conference on Neural Networks</i> 2:1625-1637 (1991).
WSI	DN	Young, "Diagnosis of acute cardiac ischemia", (available on <a href="http://www.library.ucs...1/Originals/young.html">http://www.library.ucs...1/Originals/young.html</a> on 11/21/96).

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